



## Hinckley & Bosworth Borough Council

Forward timetable of consultation and decision making

Licensing Committee	11 October 2022
Council	02 November 2022

Wards affected: All wards

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### Taxi Licensing Policy

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#### Report of Director (Community and Development Services)

##### 1. Purpose of report

- 1.1 To provide the Licensing Committee with the final draft of the Hackney Carriage and Private Hire Licensing Policy (Appendix A) following public consultation.

##### 2. Recommendation

- 2.1 That the Licensing Committee recommend the contents of the Hackney Carriage and Private Hire Licensing Policy (Appendix A), be approved by full Council.

##### 3. Background to the report

- 3.1 Hinckley & Bosworth Borough Council has responsibility for licensing taxi and private hire vehicles, drivers, and operators within the borough of Hinckley & Bosworth.
- 3.2 Unlike the Licensing Act 2003 and the Gambling Act 2005, the legislation that specifically controls the licensing of hackney carriages and private hire vehicles, drivers, and operators, does not contain provisions that directly require Hinckley & Bosworth Borough Council to prepare and publish a hackney carriage and private hire licensing policy in a particular manner.

- 3.3 The Council's current Licensing Policy for Hackney Carriages and Private Hire Vehicles came into force in 2010 and has been subject to legislative updates.

### **Report**

- 3.4 Members may recall that on the 21<sup>st</sup> July 2020, the Department for Transport (DfT) published its "Statutory Taxi and Private Hire Vehicle Standards" (Included in the Background papers). The Statutory Taxi & Private Hire Vehicle Standards is the result of extensive consultation with the police, the Institute of Licensing and the licensed taxi trade and sets out the approach that Licensing Authorities must adopt when carrying out their functions.
- 3.5 In light of the updates required and the published DfT standards it was felt necessary to consolidate existing guidance, policies, and procedures into a new document, suitable for applicants, officers, members and the wider public.
- 3.6 The new policy will ensure the Borough Council has in place a policy reflects best practice among licensing authorities, addresses changes in the regulatory landscape and contributes to the future priorities and aspirations of Hinckley & Bosworth Borough Council (for example, reducing impacts on air quality and the environment).
- 3.7 The policy includes recommendations put forward in the statutory standards produced by the Department of Transport. Paragraph 1.3 of the statutory standards states:

*Whilst the focus of the Statutory Taxi and Private Hire Vehicle Standards is on protecting children and vulnerable adults, all passengers will benefit from the recommendations contained in it. There is consensus that common core minimum standards are required to regulate better the taxi and private hire vehicle sector, and the recommendations in this document are the result of detailed discussion with the trade, regulators, and safety campaign groups.*

***The Department therefore expects these recommendations to be implemented unless there is a compelling local reason not to.***

- 3.8 There does not appear to be any reason not to implement the standards.

## **4. Exemptions in accordance with the Access to Information procedure rules**

- 4.1 The report is to be taken in open session.

## **5. Financial implications [MT]**

- 5.1 There are no financial implications arising for the Council from the above proposal.

## **6. Legal implications [MR]**

6.1 Contained within the body of the report.

## **7. Corporate Plan implications**

7.1 A well regulated and enforced taxi service provides reassurance to the public and will contribute to protect people from harm under the People priority.

## **8. Consultation**

8.1 Consultation with the public, trade and other stakeholders has been overseen by the Council's Licensing team. The consultation lasted for seventeen weeks, and the policy was available online or as a hard copy at the Council Offices. The consultation included consulting with and considering the views of a wide range of individuals and organisations including:

- All current licence holders
- Residents via website
- Ward Councillors
- Parish and town councils
- Hinckley BID
- Leicestershire Police
- Leicestershire County Council
- Neighbouring Authorities
- Age Concern
- Disabled Persons Transport Advisory Committee (DPTAC)
- The National Private Hire Association

8.2 There has been a low response to the consultation (Appendix B) from the taxi trade but this is not unusual. An Equality Impact Assessment has also been undertaken.

## **9. Risk implications**

9.1 It is the council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

9.2 It is not possible to eliminate or manage all risks all the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

9.3 The following table shows the risks associated with these report / decisions:

Reputation	In adopting the new policy, the Council is demonstrating its flexibility and responsiveness to changing needs/requirements	Mark Brymer
Legal compliance	Ensure actions in compliance with Central Government Policy	Mark Brymer

## 10. Knowing your community – equality and rural implications

10.1 Taxis provide an increasingly important transport option for disabled people. Where public transport is not provided or regular, taxis may be the only public transport option for residents in the more remote villages.

## 11. Climate implications [MB/DL]

11.1 Encouragement of electric and ultra-low emission vehicles have an important role to play in the Council's climate emergency aspirations and this is addressed within the policy. To continue to allow the use of fossil fuelled vehicles will have a negative implication for the borough and therefore we are proposing to phase out these vehicles from December 2030 to meet the Council's climate change obligations.

## 12. Corporate implications

12.1 By submitting this report, the report author has taken the following into account:

- Community safety implications [RB]
- Environmental implications
- Asset management implications
- Human resources implications
- Planning implications
- Data protection implications
- Voluntary sector

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Background papers:

[Town Police Clauses Act 1847, Local Government \(Misc Provs\) Act 1976](#)  
[Taxi Licensing Best Practice Guidance for Licensing Authorities](#)  
[Department for Transport Statutory Taxi and Private Hire Guidance \(July 2020\)](#)  
[Institute of Licensing - Safe and Suitable](#)

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